



UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2(c)

HALPERIN BATTAGLIA RAICHT, LLP
555 Madison Avenue – 9th Floor
New York, New York 10022
(212) 765-9100
(212) 765-0964 Facsimile
Donna H. Lieberman, Esq.
Carrie E. Mitchell, Esq.
Scott A. Ziluck, Esq.

COLE, SCHOTZ, MEISEL,
FORMAN & LEONARD, P.A.
A Professional Corporation
Court Plaza North
25 Main Street
P.O. Box 800
Hackensack, New Jersey 07602-0800
(201) 489-3000
(201) 489-1536 Facsimile
Ilana Volkov, Esq.
Felice R. Yudkin, Esq.

Co-Counsel to the Class 10 Liquidation Trust

In re:

SHAPES/ARCH HOLDINGS L.L.C., *et al.*,

Reorganized Debtors.

Chapter 11

Case No. 08-14631
(Jointly Administered)

Judge: Hon. Gloria M. Burns

Hearing Date: March 13, 2012

**ORDER PURSUANT TO FED. R. BANKR. P. 9016 AND
FED. R. CIV. P. 45 QUASHING THE SUBPOENA ISSUED BY
A. JEROME GROSSMAN AND FRANK KESSLER**

The relief set forth on the following pages, numbered two (2) and three (3), is hereby
ORDERED.

DATED: 03/16/2012



Honorable Gloria M. Burns
United States Bankruptcy Court Judge

(Page 2)

Debtor: SHAPES/ARCH HOLDINGS L.L.C., *et al.*
Case No. 08-14631(GMB)
Caption of Order: ORDER PURSUANT TO FED. R. BANKR. P. 9016 AND FED.
R. CIV. P. 45 QUASHING THE SUBPOENA ISSUED BY A.
JEROME GROSSMAN AND FRANK KESSLER

THIS MATTER having been opened to the Court by Class 10 Liquidation Trust (the “Trust”), by and through its counsel, upon motion (the “Motion”) for entry of an Order pursuant to Fed. R. Bankr. P. 9016 and Fed. R. Civ. P. 45 quashing the subpoena issued by A. Jerome Grossman and Frank Kessler (the “Subpoena”); and it appearing that good and sufficient notice of the Motion having been provided, as evidenced by the Affidavit of Service filed with the Court; and the Court having considered all the motion papers, the opposition thereto, if any, and the arguments of counsel; and good cause having been shown,

IT IS HEREBY ORDERED THAT:

1. The Subpoena is hereby quashed and the Trust is excused from compliance with the Subpoena pursuant to Fed. R. Bankr. P. 9016 and Fed. R. Civ. P. 45 except to the extent provided in paragraphs two and three herein.
2. The Trust’s counsel shall provide all documents relating to the payment of the claims of A. Jerome Grossman and Frank Kessler (the “Claimants”) against the Debtors¹ within 30 days of entry of this Order (the “Payment Documents”).
3. The Trust’s counsel shall provide all documents relating to the basis upon which distributions on account of the Claimants claims have been withheld or delayed within 30 days of entry of this Order (the “Distribution Documents”).

¹ Capitalized terms not defined herein shall have the meaning ascribed to them in the Motion.

(Page 3)

Debtor: SHAPES/ARCH HOLDINGS L.L.C., *et al.*
Case No. 08-14631(GMB)
Caption of Order: ORDER PURSUANT TO FED. R. BANKR. P. 9016 AND FED.
R. CIV. P. 45 QUASHING THE SUBPOENA ISSUED BY A.
JEROME GROSSMAN AND FRANK KESSLER

4. Upon receipt and review of the Payment Documents and the Distribution Documents, Claimants' counsel may seek the deposition of the Trustee upon a showing of good cause made by application to the Court.

5. The Trust's counsel shall serve a true copy of this Order on all parties-in-interest by regular mail within seven (7) days hereof.